

**SUPREME COURT MINUTES  
WEDNESDAY, SEPTEMBER 22, 1999  
SAN FRANCISCO, CALIFORNIA**

S080451 People, Respondent

2nd Dist. v.

B118527 Juancho L. Rells, Appellant

Div. 3 Appellant's petition for review GRANTED.

The issues to be argued before this court shall be limited to whether the defendant bears the burden of proving continued incompetence to stand trial at a Penal Code section 1372 restoration of competency hearing.

Mosk, J.  
Kennard, J.  
Werdegar, J.  
Brown, J.

S080554 People, Respondent

3rd Dist. v.

C028898 Isaias Rodriguez Posas, Appellant

Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Superior Court (Zamudio)*, S073031 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

Baxter, Acting C.J.  
Mosk, J.  
Kennard, J.  
Werdegar, J.  
Chin, J.  
Brown, J.

S081084 Viad Corporation, Petitioner  
1st Dist. v.  
A087701 San Francisco County Superior Court, Respondent  
Div. 5 Serena Pena et al., Real Parties in Interest  
Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *Scheiding v. General Motors Corporation*, S073196 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

Baxter, Acting C.J.  
Mosk, J.  
Kennard, J.  
Werdegar, J.  
Chin, J.  
Brown, J.

S078495 In re Vincent Marquez  
on  
Habeas Corpus

Good cause having been shown, the Director of the Department of Corrections is ordered to show cause before the Monterey County Superior Court, when the matter is ordered on calendar, why petitioner is not entitled to the relief requested. The return shall be filed on or before October 22, 1999.

Baxter, Acting C.J.  
Mosk, J.  
Kennard, J.  
Werdegar, J.  
Chin, J.  
Brown, J.

4th Dist. People, Respondent

D030557 v.

Div. 1 John Allen Dibernardo, Appellant

S080701 Petition for review GRANTED.

The cause is transferred to the Court of Appeal, Fourth Appellate District, Division One, with directions to vacate its decision and to reconsider the cause in light of *People v. Birkett* 21 Cal.4th 226.

Baxter, Acting C.J.

Mosk, J.

Kennard, J.

Werdegar, J.

Chin, J.

Brown, J.

4th Dist. Alpha Beta Company, Petitioner

G025858 v.

Div. 3 Orange County Superior Court, Respondent

S081637 Gary M. Leeds et al., Real Parties in Interest

Petition for review GRANTED.

The matter is transferred to the Court of Appeal, Fourth Appellate District, Division Three, with directions to vacate its order denying mandate/prohibition and to issue an alternative writ to be heard before that court when the proceeding is ordered on calendar.

Baxter, Acting C.J.

Mosk, J.

Kennard, J.

Werdegar, J.

Chin, J.

Brown, J.

- S064081      People, Plaintiff and Respondent  
                 v.  
                 Binh Phouc Nguyen, Defendant and Appellant  
                 BY THE COURT:  
                 Opinion modified. This modification does not change the  
                 judgment.
- S064081      People, Respondent  
                 v.  
                 Binh Phouc Nguyen, Appellant  
                 The order extending finality filed August 16, 1999, is hereby  
                 terminated.
- S075090      People, Respondent  
                 v.  
                 Otis Michael Thomas, Appellant  
                 Appellant's request for judicial notice, filed April 12, 1999, and  
                 respondent's request for judicial notice, filed August 9, 1999, are  
                 granted.
- S082022      In re Ronald Lee Sanders  
                 on  
                 Habeas Corpus  
                 Petition for writ of habeas corpus DENIED.  
                 Mosk, J., is of the opinion an order to show cause should issue.
- 1st Dist.      People, Respondent  
A078786      v.  
Div. 3      Demareal James Turner, Appellant  
S081516      Appellant's petition for review DENIED.
- 1st Dist.      In re Carven Ray Evans on Habeas Corpus  
A080969      -----  
A085860      People, Respondent  
Div. 5      v.  
S073412      Ralph L. Lee, Jr. et al., Appellants  
                 Appellants' petitions for review DENIED.

1st Dist. People, Respondent  
A080973 v.  
Div. 2 David Cordero, Appellant  
S080962 Appellant's petition for review DENIED.

1st Dist. People, Respondent  
A081055 v.  
Div. 1 Geoffrey N. Fowler, Appellant  
S080432 Appellant's petition for review DENIED.

1st Dist. People, Respondent  
A081155 v.  
Div. 2 Ralph Antonio Taylor, Appellant  
S076546 Appellant's petition for review DENIED.

1st Dist. People, Respondent  
A081794 v.  
Div. 4 Enox Israel Castro et al., Appellants  
S081469 Appellants' petition for review DENIED.

1st Dist. People, Respondent  
A082048 v.  
Div. 3 Gilbert Briones, Appellant  
S081378 Appellant's petition for review DENIED.

1st Dist. Nicolette Rivera, Appellant  
A082498 v.  
Div. 2 City and County of San Francisco et al., Respondents  
S080936 Respondents' petition for review DENIED.

1st Dist. In re Lance S., a Person Coming Under the Juvenile Court Law  
A083304 -----  
Div. 4 Marin County Department of Social Services, Respondent  
S081075 v.  
Ronda S., Appellant  
Petition for review DENIED.

1st Dist. People, Respondent  
A083703 v.  
Div. 3 Edward Dion Hendrix, Appellant  
S081507 Appellant's petition for review DENIED.

1st Dist. A084048 Div. 2 S081203	Faith Douangmala et al., Appellants v. Caesar Chavez Elementary School et al., Respondents Petition for review DENIED.
1st Dist. A084107 Div. 2 S081440	People, Respondent v. Humberto Fernandez, Appellant Appellant's petition for review DENIED.
1st Dist. A087419 Div. 1 S081133	General Refractories Company, Petitioner v. Alameda County Superior Court, Respondent Richard Stubbs and Bella Stubbs, Real Party in Interest Petition for review DENIED.
1st Dist. A088254 Div. 1 S082248	Nancy Jewell Cross, Petitioner v. Alameda County Superior Court, Respondent Esthela X. Romero, Real Party in Interest Application for stay and petition for review DENIED.
2nd Dist. B110977 Div. 3 S081400	People, Respondent v. Vincent Sowell, Appellant Appellant's petition for review DENIED.
2nd Dist. B111848 Div. 7 S081497	People, Respondent v. Francisco Estrada, Appellant Petitions for review DENIED.
2nd Dist. B114220 Div. 7 S080605	People, Respondent v. Elvira Valencia Moreno, Appellant Appellant's petition for review DENIED.
2nd Dist. B115166 Div. 3 S080882	People, Respondent v. Antoine Michael La Stelley, Appellant Petition for review DENIED.

2nd Dist. B115747 Div. 1 S080544	People, Respondent v. Markeith D. Wright et al., Appellants Appellants' petitions for review DENIED.
2nd Dist. B115843 Div. 6 S080471	People, Respondent v. Michael Lamonte Clayton, Appellant Appellant's petition for review DENIED.
2nd Dist. B116141 Div. 3 S080514	People, Respondent v. Alton Charles Allen, Appellant Appellant's petition for review DENIED.
2nd Dist. B117032 Div. 2 S080380	People, Respondent v. Vinh Nhu Tran et al., Appellants Petitions for review DENIED.
2nd Dist. B117281 Div. 4 S081501	People, Respondent v. Joel Valdez et al., Appellants Appellants' petition for review DENIED.
2nd Dist. B117955 Div. 5 S081056	Premium Commercial Services Corp., Appellant v. National Bank of California, Respondent Respondent's petition for review DENIED.
2nd Dist. B118052 Div. 4 S080643	G. Karlin Michelson et al., Appellants v. Bert S. Camp, Respondent Appellants' petition for review DENIED. Werdegar, J., , is of the opinion the petition should be granted.
2nd Dist. B118347 Div. 2 S081505	People, Respondent v. Juan Mendoza Castaneda, Appellant Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B118514 v.  
Div. 3 Linford Burns, Appellant  
S081316 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B120380 v.  
Div. 2 Pedro Guerrero, Appellant  
S081407 Appellant's petition for review DENIED.

2nd Dist. Genz Development Incorporated, Appellant  
B120444 v.  
Div. 1 Fire Insurance Exchange, Respondent  
S080909 Petition for review DENIED.  
The request for an order directing publication of the opinion is DENIED.

2nd Dist. People, Respondent  
B120570 v.  
Div. 1 Larry Burnell Moore, Appellant  
S081308 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B120746 v.  
Div. 3 Nilo Cardeno, Appellant  
S081444 Respondent's petition for review DENIED.

2nd Dist. People, Respondent  
B121669 v.  
Div. 4 Churchill A. Ugwuzor, Appellant  
S080565 Respondent's petition for review DENIED.

2nd Dist. People, Respondent  
B121762 v.  
Div. 5 Duane Cotton, Appellant  
S081524 Appellant's petition for review DENIED.  
Kennard, J., is of the opinion the petition should be granted.



2nd Dist. People, Respondent  
B122270 v.  
Div. 2 Mauricio Alfaro Morales, Appellant  
S080585 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B123052 v.  
Div. 7 Dupree Terrell Baskin, Appellant  
S081357 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B123135 v.  
Div. 7 Daniel Gil, Appellant  
S081368 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B123446 v.  
Div. 1 Jose Andrate, Appellant  
S081460 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B123885 v.  
Div. 4 Sharon Evon Wade, Appellant  
S081541 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B124279 v.  
Div. 6 Michael Shanley, Appellant  
S081482 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B124303 v.  
Div. 5 Oran O. Hutson, Appellant  
S081395 Appellant's petition for review DENIED.

2nd Dist. People, Appellant  
B124823 v.  
Div. 5 Charles Aaron Fuller, Respondent  
S080512 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B124856 v.  
Div. 5 Charles McQuarn, Appellant  
S081452 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B124954 v.  
Div. 7 Michael Riht aka Max Dean Zane, Appellant  
S081500 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B125338 v.  
Div. 7 John Joseph McLoughlin, Appellant  
S081303 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B125461 v.  
Div. 7 Robert Wayne Dixon, Appellant  
S081338 Petitions for review DENIED.

2nd Dist. People, Respondent  
B125529 v.  
Div. 5 Samont L. Winn et al., Appellants  
S081412 Appellants' petition for review DENIED.

2nd Dist. Hollywood 5555, a California Limited Partnership et al., Appellants  
B125768 v.  
Div. 7 City of Los Angeles et al., Appellants  
S081039 Appellants' petition for review DENIED.

2nd Dist. People, Respondent  
B125819 v.  
Div. 5 Derrick James Young, Appellant  
S081504 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B125841 v.  
Div. 2 Jeffrey Derrick Dukes, Appellant  
S081289 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B125943 v.  
Div. 4 Richard Ricky Elias, Appellant  
S081498 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B126307 v.  
Div. 1 Oswin Orlando Del Valle, Appellant  
S081446 Petitions for review DENIED.

2nd Dist. Jane Davey, Petitioner  
B132580 v.  
Div. 3 Los Angeles County Superior Court, Respondent  
S080864 County of Los Angeles, Real Party in Interest  
Petition for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.

2nd Dist. Janice Martin, Petitioner  
B132886 v.  
Div. 3 Los Angeles County Superior Court, Respondent  
S080699 Eastern Mortgage Company, Real Party in Interest  
Petition for review DENIED.

2nd Dist. Alfonso Davila Hermo, Petitioner  
B133145 v.  
Div. 7 Los Angeles County Superior Court, Respondent  
S080667 People, Real Party in Interest  
Application for stay and petition for review DENIED.  
Mosk, J., and Kennard, J., are of the opinion the petition should be granted.

2nd Dist. Morros Scuria Golenor & Salisbury, Petitioner  
B133351 v.  
Div. 1 Los Angeles County Superior Court, Respondent  
S080949 American International Group Incorporated et al.,  
Real Parties in Interest  
Petition for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.

2nd Dist. Frank Mego, Petitioner  
B134362 v.  
Div. 5 Los Angeles County Superior Court, Respondent  
S081711 Los Angeles County Unified School District, Real Party in Interest  
Application for stay and petition for review DENIED.

3rd Dist. People, Appellant  
C027606 v.  
S080588 Jeffrey Aaron Erickson, Appellant  
Appellant's petition for review DENIED.  
Kennard, J., is of the opinion the petition should be granted.

3rd Dist. People, Respondent  
C028026 v.  
S078289 Rick Benjamin Sillman, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C028141 v.  
S081486 Steven Joseph Philpott, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C028315 v.  
S081621 Anthony Renee Phillips, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C029294 v.  
S080357 Javier A. Chaves, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C029771 v.  
S081458 Mark Eugene Henderson, Appellant  
Appellant's petition for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.

3rd Dist. John Ochoa, Appellant  
C030427 v.  
S080940 California State University Sacramento, Respondent  
Petition for review DENIED.

3rd Dist. People, Respondent  
C030769 v.  
S081429 Randy Radanovich, Appellant  
Appellant's petition for review DENIED.

3rd Dist. In re Alonzo James Joseph  
C033279 on  
S081330 Habeas Corpus  
Petition for review DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)

4th Dist. Steve Carver et al., Appellants  
D025937 v.  
Div. 1 Chevron U.S.A. Inc. et al., Appellants  
S080364 Petition for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.

4th Dist. People, Respondent  
D026393 v.  
Div. 1 Angel Manuel Armigo et al., Appellants  
S069539 Petitions for review DENIED.  
Brown, J., is of the opinion review should be granted.

4th Dist. People, Respondent  
D027272 v.  
Div. 1 Jonathan Curtis Myhre, Appellant  
S081607 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
D029098 v.  
Div. 1 Jesus Nunez Ramirez, Appellant  
S080650 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
D029869 v.  
Div. 1 Dale C. Whitmer, Appellant  
S081037 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
D029960 v.  
Div. 1 David Nelson, Appellant  
S081417 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
D030099 v.  
Div. 1 Richard Alexander Cooke, Appellant  
S080444 Petitions for review DENIED.

4th Dist. People, Respondent  
D030101 v.  
Div. 1 Eric Perez, Appellant  
S080559 Respondent's petition for review DENIED.  
Baxter, J., is of the opinion the petition should be granted.

4th Dist. People, Respondent  
D030333 v.  
Div. 1 Paul Gilbert Simonton, Appellant  
S080556 Petitions for review DENIED.

4th Dist. People, Respondent  
D030664 v.  
Div. 1 Willie Ray Meadows, Appellant  
S081556 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
D031376 v.  
Div. 1 Rigoberto Martinez, Appellant  
S081451 Appellant's petition for review DENIED.

4th Dist. In re Noe S.  
D033587 on  
Div. 1 Habeas Corpus  
S081595 Petition for review DENIED.

4th Dist. Aguirre & Eckman et al., Petitioners  
D033624 v.  
Div. 2 San Diego County Superior Court, Respondent  
S081279 Alfred F. Remedios et al., Real Parties in Interest  
Petition for review DENIED.

4th Dist. People, Respondent  
E021215 v.  
Div. 2 Ronald Deon Miles, Appellant  
S081457 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
E021990 v.  
Div. 2 Ramon Ortiz, Appellant  
S081420 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
E022115 v.  
Div. 2 Roderick Russell Griffin, Appellant  
S081364 Appellant's petition for review DENIED.

4th Dist. In re Anthony J., a Person Coming Under the Juvenile Court Law  
E022511 -----  
Div. 2 People, Respondent  
S081619 v.  
Anthony J., Appellant  
Appellant's petition for review DENIED.

4th Dist. People, Respondent  
E022593 v.  
Div. 2 Raymond Ramirez, Appellant  
S081601 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
E022773 v.  
Div. 2 Gilbert Steven Mercado, Appellant  
S081480 Appellant's petition for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.

4th Dist. In re Michael Thomas Grisham on Habeas Corpus  
E022814 -----  
E024359 People, Respondent  
Div. 2 v.  
S080771 Michael Thomas Grisham, Appellant  
Appellant's petition for review DENIED.

4th Dist. People, Respondent  
E022822 v.  
Div. 2 Carlos Enrique Romero, Appellant  
S081418 Appellant's petition for review DENIED.

4th Dist. In re Frederick D. Bennett  
E025154 on  
Div. 2 Habeas Corpus  
S081441 Petition for review DENIED.

4th Dist. People, Respondent  
G019079 v.  
Div. 3 David Lopez, Appellant  
S081414 Appellant's petition for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.

4th Dist. William Snow Hume, Petitioner  
G019936 v.  
Div. 3 Court of Appeal, Fourth Appellate District, Division Three,  
S082195 Respondent  
Jan Flory et al., Real Parties in Interest  
Application for stay and petition for review DENIED.

4th Dist. McQueem Ansari, Appellant  
G022135 v.  
Div. 3 County of Orange et al., Respondents  
S081219 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
G022341 v.  
Div. 3 Apolonio Santana, Appellant  
S081416 Appellant's petition for review DENIED.



4th Dist. G023251 Div. 3 S081311	People, Respondent v. Ronnie Burns, Appellant Appellant's petition for review DENIED.
4th Dist. G023282 Div. 3 S081158	People, Respondent v. Garett Lance Nelson, Appellant Appellant's petition for review DENIED.
4th Dist. G024246 Div. 3 S081245	In re Joseph and Theresa P., Persons Coming Under the Juvenile Court Law ----- Orange County Social Services Agency, Respondent v. Michael and Jill P. et al., Appellants Petition for review DENIED.
4th Dist. G025740 Div. 3 S081471	Brighton-Branson Yorba Linda Associates et al., Petitioners v. Orange County Superior Court, Respondent James Mock Incorporated et al., Real Parties in Interest Petition for review DENIED.
5th Dist. F027467 F029289 S080583	People, Respondent v. Isaiah Noel Williams, Appellant ----- In re Isaiah Noel Williams on Habeas Corpus Appellant's petition for review DENIED.
5th Dist. F027655 S081290	People, Respondent v. Cheryl Sembach, Appellant Appellant's petition for review DENIED.
5th Dist. F027812 S080568	People, Respondent v. Joe Flowers, Appellant Appellant's petition for review DENIED.

5th Dist. F027994 F029119 S081371	People, Respondent v. Jameel Malik Deloney, Appellant ----- In re Jameel Malik Deloney on Habeas Corpus Appellant's petition for review DENIED.
5th Dist. F028176 S081422	People, Respondent v. Salvador Castro, Appellant Appellant's petition for review DENIED.
5th Dist. F028212 S081296	People, Respondent v. Tommy Lee Canale, Jr., Appellant Appellant's petition for review DENIED.
5th Dist. F028298 S080425	People, Respondent v. Anthony Lyons, Appellant Appellant's petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
5th Dist. F028398 S081377	People, Respondent v. Steven Tkac et al., Appellants Appellants' petitions for review DENIED.
5th Dist. F028530 S080569	People, Respondent v. Randy Lee Miller, Appellant Appellant's petition for review DENIED.
5th Dist. F028532 F030178 S081335	In re Ethan Eli Shepard on Habeas Corpus ----- People, Respondent v. Ethan Eli Shepard, Appellant Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F028710 v.  
S080489 Johnny Matthews Brown, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F030031 v.  
S081499 Robert C. Louis, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F030085 v.  
S080636 Derrick Jerome Kelly, Appellant  
Appellant's petition for review DENIED.  
Mosk, J., and Kennard, J., are of the opinion the petition should  
be granted.

5th Dist. People, Respondent  
F030177 v.  
S081165 Verde Bailey, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F030631 v.  
S081366 Richard Azevedo Rosas, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F030824 v.  
S081577 Alelx Najera, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F031265 v.  
S081405 Pedro Renato Garibay, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F031520 v.  
S081139 Gonzalo Romero, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F031578 v.  
S081349 Bobby Dean Bunderson, Appellant  
Appellant's petition for review DENIED.

6th Dist. Guardianship of Zachary H., a Minor  
H017530 -----  
S080316 Robin Sukow et al., Respondents  
v.  
Eric Pagliano, Appellant  
Appellant's petition for review DENIED.  
Kennard, J., is of the opinion the petition should be granted.  
The request for an order directing depublication of the opinion is  
DENIED.

6th Dist. People, Respondent  
H018192 v.  
S081140 Robert Reed Baldwin, Appellant  
Appellant's petition for review DENIED.

6th Dist. In re Corrina O., Persons Coming Under the Juvenile Court Law  
H019417 -----  
S080708 Santa Clara Dept. of Family & Children Services, Respondent  
v.  
John O., Appellant  
Petition for review DENIED.

6th Dist. In re Van Thanh Nguyen  
H020112 on  
S080215 Habeas Corpus  
Petition for review DENIED.

4th Dist. Douglas Schwaderer, Appellant  
D029654 v.  
Div. 1 City of Santee et al., Respondents  
S080825 The request for an order directing publication of the opinion in  
the above entitled cause is DENIED.

- 4th Dist.      Urban West Communities et al., Respondents  
G019729      v.  
Div. 3      Industrial Indemnity, Appellant  
S080429      The requests for an order directing publication of the opinion in  
the above entitled cause are DENIED.
- S014021      People, Respondent  
v.  
Dean Phillip Carter, Appellant  
On application of appellant and good cause appearing, it is  
ordered that the time to serve and file appellant's reply brief is  
extended to and including October 22, 1999.
- S015381      People, Respondent  
v.  
Tracey Lavell Carter, Appellant  
On application of respondent and good cause appearing, it is  
ordered that the time to serve and file respondent's brief is extended  
to and including October 14, 1999.
- S018033      People, Respondent  
v.  
Prentice Juan Snow, Appellant  
On application of appellant and good cause appearing, it is  
ordered that the time to serve and file appellant's opening brief is  
extended to and including November 22, 1999.
- S017869      People, Respondent  
v.  
Kristin William Hughes, Appellant  
On application of appellant and good cause appearing, it is  
ordered that the time to serve and file appellant's reply brief is  
extended to and including November 23, 1999.
- S019798      People, Respondent  
v.  
Christopher Clark Box, Appellant  
On application of appellant and good cause appearing, it is  
ordered that the time to serve and file appellant's reply brief is  
extended to and including October 20, 1999.

S025121 People, Respondent

v.

Robert Clarence Taylor, Appellant

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's brief is extended to and including November 19, 1999.

S029550 People, Respondent

v.

Duane Holloway, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including November 22, 1999.

S031603 People, Respondent

v.

John Irving Lewis, Appellant

On application of appellant and good cause appearing, it is ordered that the appellant is granted to and including November 19, 1999, to request correction of the record on appeal. Counsel for appellant is ordered to notify the Clerk of the Supreme Court in writing as soon as the act as to which the Court has granted an extension of time has been completed.

No further extensions of time are contemplated.

S033571 People, Respondent

v.

Warren James Bland, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including November 8, 1999.

S042223 People, Respondent

v.

Walter Joseph Cook, III, Appellant

On application of appellant and good cause appearing, it is ordered that the appellant is granted to and including November 15, 1999, to request correction of the record on appeal. Counsel for appellant is ordered to notify the Clerk of the Supreme Court in writing as soon as the act as to which the Court has granted an extension of time has been completed.

S045184 People, Respondent

v.

Steve Wayne Bonilla, Appellant

On application of appellant and good cause appearing, it is ordered that the appellant is granted to and including November 19, 1999, to request correction of the record on appeal. Counsel for appellant is ordered to notify the Clerk of the Supreme Court in writing as soon as the act as to which the Court has granted an extension of time has been completed.

S067172 In re Tracy D. Cain

On

Habeas Corpus

On application of petitioner and good cause appearing, it is ordered that the time to serve and file petitioner's reply to informal response to the petition for writ of habeas corpus is extended to and including November 19, 1999.

No further extensions of time are contemplated.

S070780 In re George Hatton Smithey

On

Habeas Corpus

On application of petitioner and good cause appearing, it is ordered that the time to serve and file petitioner's reply to informal response to the petition for writ of habeas corpus is extended to and including October 21, 1999.

S075679 In re William Kirkpatrick

On

Habeas Corpus

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's informal response to the petition for writ of habeas corpus is extended to and including November 22, 1999.

S076061 Comedy III Productions, Inc., Respondent

v.

Gary Saderup Inc. et al., Appellants

The application of Wayne Enterprises Incorporated et al., for permission to file an amicus curiae brief in support of respondent is

hereby granted.

An answer thereto may be served and filed by any party within twenty days of the filing of the brief.

S077396      East Bay Asian Local Development Corporation et al., Respondents  
                 v.

State of California, Appellant

The application of Pacific Union Conference of Seventh-Day Adventists, et al., for permission to file an amicus curiae brief in support of respondent is hereby granted.

A consolidated answer to multiple amici curiae briefs may be served and filed by any party within twenty days of the filing of the brief.

S024116      People, Respondent  
                 v.

Michael Slaughter, Appellant

Appellant's application for leave to file appellant's supplemental opening brief is granted.

Appellant's application for leave to file appellant's reply brief in excess of 140 pages is granted.

S025880      People, Respondent  
                 v.

Richard Louis Arnold Phillips, Appellant

Respondent's motion to obtain copies of sealed records, filed September 1, 1999, is granted as follows: The clerk of this court is directed to provide respondent with the reporter's transcript of the record correction proceeding held in the Madera County Superior Court on March 17, 1999, with exhibits; the "clerk's transcript on appeal; amended confidential order of augmentation," filed in this court on April 29, 1999; and the "confidential statement of decision," filed in this court on April 29, 1999.

S028970      People, Respondent  
                 v.

Richard Stitely, Appellant

"Appellant's Application for Reversal of Trial Court's Ruling on Appellant's Request to Make Paper Exhibits Part of the Clerk's Transcript" is denied.



S030956 People, Respondent

v.

William James Ramos, Jr., Appellant

Mark R. Vermeulen is hereby appointed as associate counsel to represent appellant William James Ramos, Jr., for both the direct appeal and related state habeas corpus/executive clemency proceedings in the above automatic appeal now pending in this court.

S082240 Charlotte Rebel Randall, Petitioner

v.

Riverside County Superior Court, Respondent

Estate of Frank Sinatra et al., Real Parties in Interest

The above entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division Two.

Bar  
Misc.  
4186

In the Matter of the Application of the Committee of Bar Examiners of the State of California for Admission of Attorneys

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(LIST OF NAMES ATTACHED TO ORIGINAL ORDER)

S037060 In re **Terrell Stanley Root** on Reinstatement

Upon petition for reinstatement and recommendation of the State Bar Court, it is ordered that **Terrell Stanley Root** be reinstated as a member of the State Bar of California upon payment of all applicable costs and fees and his taking of the oath required by law.

S080578 In re **Curtis A. Scott** on Discipline

It is hereby ordered that **Curtis A. Scott, State Bar No. 144352**, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. He is also ordered to comply with rule 955, California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days,

respectively, after the date this order is effective.\* Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and those costs be payable in accordance with section 6140.7 (as amended effective January 1, 1997).

\*(See Business & Professions Code, § 6126, subd. (c).)

S080579 In re **Hilary Thomas Scantlebury** on Discipline

It is ordered that **Hilary Thomas Scantlebury** be suspended from the practice of law for three years, and until he attends the State Bar Ethics School and takes and passes the test given at the end of such session, and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. It is further ordered that he take and pass the Multistate Professional Responsibility Examination during the period of actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and shall be payable in accordance with Bus. & Prof. Code section 6140.7.

S080580 In re **Barry Jay Post** on Discipline

It is ordered that **Barry Jay Post**, State Bar No. 72286, be suspended from the practice of law for five years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, that execution of suspension be stayed, and that he be placed on probation for five years subject to the conditions of probation, including 18 months actual suspension and restitution, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed June 9, 1999, as modified by its amended order filed June 18, 1999. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order or during the period of his actual suspension, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is

effective.\* Costs are awarded to the State Bar and one-quarter of said costs shall be added to and become part of the membership fees for the years 2000, 2001, 2002, and 2003. (Bus. & Prof. Code, § 6086.10.)

\*(See Business & Professions Code, § 6126, subd. (c).)

S082188

In the Matter of the Resignation of **Nicolas S. Palumbo**

A Member of the State Bar of California

The voluntary resignation of **Nicolas S. Palumbo, State Bar Membership No. 172276** as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against him should he hereafter seek reinstatement. It is ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.\* Costs are awarded to the State Bar.

\*(See Bus. & Prof. Code, § 6126, subd. (c).)